

REMARKS

Election/Restriction

The election of Claims 1-9 is hereby affirmed.

Information Disclosure Statement

The Office Action indicates non-receipt of the copies of the references cited in the Information Disclosure Statements (IDS) filed 7/30/03 and 4/24/04. The undersigned attorney does not have a record of an IDS filed 4/24/04, but has a record of Information Disclosure Statements filed 7/30/03, 10/8/03, and 4/20/04. The Office Action was accompanied by copies of Applicant's PTO-1449's (four pages) filed with these three Information Disclosure Statements. The PTO-1449's had all the references crossed out except for the U.S. patents and published U.S. patent applications.

Enclosed are:

1. Copies of three return receipt postcards filed with the three Information Disclosure Statements and stamped by the USPTO, indicating that the references were received by the USPTO on the dates stamped. Note item 10 on the postcard dated 7/30/03, and items 4 on the postcards dated 10/08/2003 and 4/20/04.
2. Copies of the references cited in the three Information Disclosure Statements other than the U.S. patents and published U.S. patent applications.
3. Copies of the four PTO-1449's filed with the Information Disclosure Statements.

The Examiner is requested to consider the references, initial the PTO-1449's and return the initialed forms to the undersigned. No fee is believed to be required since the references were originally filed in a timely manner. If a fee is required for the Information Disclosure Statements, please charge the fee to deposit account 50-2257.

Prior Art Rejections

Claims 1, 4, 7-8 were rejected under 35 U.S.C. 102(b) over Applicant's prior art Figures 1-9 and paragraphs 2-7. The same claims were rejected under 35 U.S.C. 102(b) over Wang, U.S. patent no. 6,232,185.

Claims 2-3, 5-6, 9 were objected to as dependent on a rejected claim.

Claim 1 recites floating gates with "upward protruding portions", and also recites that each floating gate is operable to control a portion of a "channel region" which borders on two source/drain regions of a memory cell. Claim 1 is supported by Applicant's Fig. 10A (note upward protruding portions 160.2) and the specification, page 16, paragraph 00101.

Claim 1, and the remaining claims, are not limited to the embodiments discussed herein.

Applicant's Figs. 1-8 do not teach or suggest protruding portions as in Applicant's Claim 1. Applicant's Fig. 9 shows a single floating gate and not two gates to control a channel region as in Claim 1.

Wang is no more pertinent than Fig. 9. See *e.g.* Wang's Fig. 5 showing a single floating gate 130.

Claim 2 is re-written as independent.

Claim 3 depends from Claim 2. **Claim 4** depends from Claim 1.

Claim 5 is re-written as independent. **Claim 6** depends from Claim 5. **Claims 7-8** depend from Claim 1.

Claim 9 is re-written as independent.

New Claims

Claims 20-21 depend from Claim 1 and are supported by page 16, paragraph 00101, and page 11, lines 12-13.

Claim 22 depends from Claim 1 and is supported by Figs. 18, 23A (showing that the select gates 140 are formed before floating gate layers 160.1, 160.2).

Claims 23-30 depend from Claim 2 and are supported by the original disclosure as follows:

Claims 23-24: original Claims 7, 8.

Claim 25: same as for the last paragraph of Claim 1 discussed above.

Claims 26-27: same as for respective Claims 20, 21.

Claims 28-29: Fig. 10A.

Claim 30: same as for Claim 22.

Claims 31-37 depend from Claim 5 and are supported by the same disclosure portions as the respective Claims 23-29.

Claims 38-45 depend from Claim 9 and are supported by the same disclosure portions as the respective Claims 23-30.

Claim 46 includes some of the language of Claim 1, but the last paragraph is like in Claim 28 (“each floating gate ... overlies a portion of the channel region”).

In Applicant’s Fig. 9, only one floating gate overlies the channel region.

Wang is no more pertinent.

Claim 47 depends from Claim 46 and is supported by the same disclosure portion as Claim 22.

Claim 48 includes some of the language of Claim 1, but the last paragraph is like in Claim 29 (the second, protruding, portions of the floating gates “overlay respective two opposite sidewalls of the first conductive gate”).

Applicant's Fig. 9 does not have a floating gate overlaying the left sidewall of select gate 140.

Wang is no more pertinent.

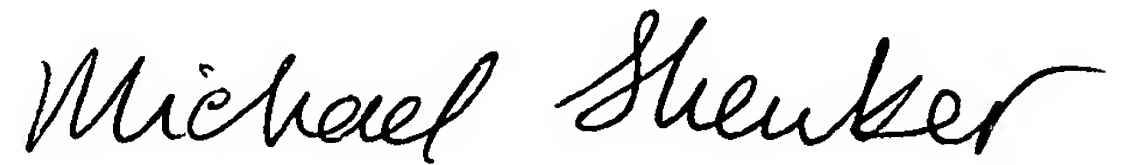
Claim 50 depends from Claim 48 and is supported by the same disclosure portion as Claim 22.

Any questions regarding this case can be addressed to the undersigned at the telephone number below.

EXPRESS MAIL LABEL NO.:

EV 513 137 893 US

Respectfully submitted,



Michael Shenker

Patent Attorney

Reg. No. 34,250

Telephone: (408) 392-9250, Ext. 212

Law Offices Of

MacPherson Kwok Chen & Heid LLP

1762 Technology Drive, Suite 226

San Jose, CA 95110

Amendment to Drawings

The attached drawing sheet no. 3 includes an amended Fig. 9 with a reference numeral 180 deleted.

The attached drawing sheet no. 4 includes an amended Fig. 10A. Fig. 10A includes two reference numerals 160.2, one on the left and one on the right. The lead line from the numeral 160.2 on the left is extended to point to a floating gate portion symmetrically with the lead line from the numeral 160.2 on the right.

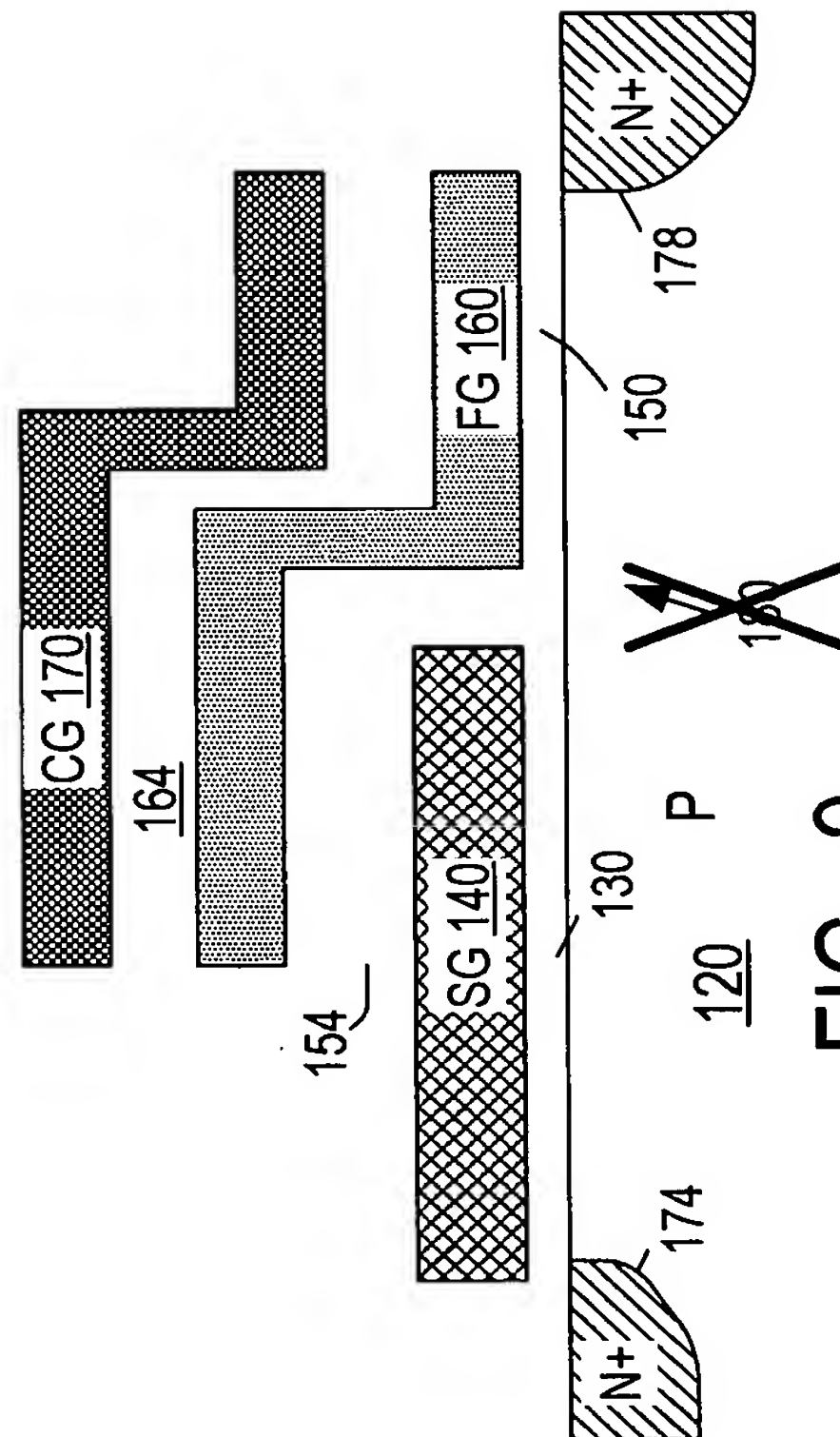


FIG. 9
PRIOR ART

